

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

SECOND SPECIAL SESSION
September 29, 2021

SECOND REGULAR SESSION
January 5, 2022 to May 9, 2022

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 29, 2021

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 8, 2022

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2022

**CHAPTER 557
H.P. 1365 - L.D. 1844**

**An Act To Amend Provisions
in the Laws Governing
Aquaculture Leases**

**Be it enacted by the People of the State of Maine
as follows:**

Sec. 1. 12 MRSA §6072, sub-§1-A, as amended by PL 1999, c. 567, §1, is further amended to read:

1-A. Lease requirement; finfish and suspension culture. Except as provided in paragraphs B and B-1 and sections 6072-A, 6072-B and 6072-C, it is unlawful for a person who does not have a lease issued by the commissioner under this section to construct or operate in the coastal waters of the State a facility for the culture of finfish in nets, pens or other enclosures or for the suspended culture of any other marine organism. For the purposes of this subsection, "suspended culture" includes all forms of culture except for the placement of marine organisms on the ocean bottom without the use of gear of any type.

B. A person operating a facility in the coastal waters of the State, on or before the effective date of this subsection, for the culture of finfish in nets, pens or other enclosures or for the suspended culture of shellfish that is not leased under this section must register the facility with the commissioner on or before January 1, 1992 on a form specified by the commissioner. A person registering under this paragraph must submit a completed lease application on or before July 1, 1992. A registrant whose application under this paragraph is denied shall immediately cease operations at the facility and remove all related structures from the coastal waters of the State.

B-1. A person operating a facility in the coastal waters of the State for the suspended culture of a marine organism other than shellfish that is not leased under this section must register the facility with the commissioner on or before January 1, 1994 on a form specified by the commissioner. A person registering under this paragraph must submit a completed lease application on or before July 1, 1994. A registrant whose application under this paragraph is denied shall immediately cease operations at the facility and remove all related structures from the coastal waters of the State.

C. The commissioner may not consider an application for a lease under this section on an area registered under paragraph B or B-1 from a person other than the registrant prior to rendering a final decision on any application submitted by a registrant under paragraph B or B-1.

A person who violates this subsection is subject to a civil penalty, payable to the State, of no more than \$1,000 for each day of the violation.

Sec. 2. 12 MRSA §6072-B, sub-§2, ¶A, as enacted by PL 1997, c. 231, §6, is amended to read:

A. The applicant holds a lease pursuant to section 6072 or 6072-A, except that this paragraph does not apply if the department is the applicant;

Sec. 3. 12 MRSA §6085, sub-§8 is enacted to read:

8. License expiration. Notwithstanding section 6301, subsection 2, the commissioner may issue a license under this section for more than one calendar year.

See title page for effective date.

**CHAPTER 558
H.P. 1367 - L.D. 1846**

**An Act To Allow for a
Variance Rate in the Amount
and Potency of Cannabinoids
in Adult Use Edible Marijuana
Products**

**Be it enacted by the People of the State of Maine
as follows:**

Sec. 1. 28-B MRSA §602, sub-§3, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

3. Testing process, protocols and standards. The department shall establish by rule processes, protocols and standards for mandatory and other testing of marijuana and marijuana products that conform with the best practices generally used within the marijuana industry, including, but not limited to, an allowable variance rate for determining the amount or potency of THC or other cannabinoids in edible marijuana products.

Sec. 2. 28-B MRSA §701, sub-§1, ¶F, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

F. Information on the THC potency of the marijuana or marijuana product and the potency of such other cannabinoids or other chemicals in the marijuana or marijuana product, including, but not limited to, cannabidiol. For edible marijuana products, the information required pursuant to this paragraph must be consistent with section 703, subsection 1, paragraphs F and F-1;

Sec. 3. 28-B MRSA §701, sub-§1, ¶G, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

G. Information on the amount of THC and cannabidiol per serving of the marijuana or marijuana product ~~and, for~~ For edible marijuana products, the

information required pursuant to this paragraph must be consistent with section 703, subsection 1, paragraphs F and F-1 and contain the number of servings per package;

Sec. 4. 28-B MRSA §703, sub-§1, ¶F, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

F. May not contain more than 10 milligrams of THC per serving of the product and may not contain more than 100 milligrams of THC per package of the product, with an allowable variance rate of 10%, except that the allowable variance may not be less than 0.6 milligrams or greater than 5 milligrams. In the calculation of the amount of THC allowed under this paragraph, the allowable variance rate must be in addition to the allowable variance rate applicable to a testing facility pursuant to section 602, subsection 3;

Sec. 5. 28-B MRSA §703, sub-§1, ¶F-1 is enacted to read:

F-1. May, except as provided in paragraph F, have the amount or potency of cannabinoids calculated using an allowable variance rate of 10%, except that the allowable variance may not be less than 0.6 milligrams or greater than 5 milligrams. In the calculation of the amount or potency of cannabinoids allowed under this paragraph, the allowable variance rate may be in addition to the allowable variance rate applicable to a testing facility pursuant to section 602, subsection 3;

See title page for effective date.

CHAPTER 559

H.P. 1407 - L.D. 1900

**An Act To Amend the Laws
Governing Name Changes**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 18-C MRSA §1-701, sub-§2, as amended by PL 2021, c. 14, §1, is further amended to read:

~~**2. Notice and name change; adults; notice.** Upon receipt of a petition filed by an adult under subsection 1, paragraph A, the court, after due notice, may change the name of the person who is an adult. To protect the safety of the person for whom the name change is sought, the court may limit the notice required if the person shows by a preponderance of the evidence that the person is currently in reasonable fear of the person's safety. The court may not require public notice before approving the name change.~~

Sec. 2. 18-C MRSA §1-701, sub-§2-A, as enacted by PL 2021, c. 14, §1, is amended to read:

2-A. Notice and name change; minors. A parent or guardian who has filed a petition under subsection 1, paragraph B or has requested a name change in a District Court proceeding under subsection 1, paragraph C shall provide notice pursuant to the applicable rules of procedure to any other parent, any guardian and any person or agency with legal custody of the minor; to the guardian ad litem if one is currently appointed; and to the minor if the minor is 14 years of age or older, ~~but does not need to publish notice of the minor's name change unless the court orders that notice of the name change of the minor be published due to the specific circumstances of the case.~~ To protect the safety of the minor for whom the name change is sought, the court may limit notice required under this subsection if the parent who has sole parental rights and responsibilities shows by a preponderance of the evidence that:

- A. The minor is a victim of abuse; or
- B. The minor or petitioner is currently in reasonable fear of the minor's or petitioner's safety.

Sec. 3. 18-C MRSA §1-701, sub-§3, as amended by PL 2021, c. 14, §1, is further amended to read:

3. Record. The court shall make and preserve a record of a name change. ~~If the court limited the notice required under subsection 2 or 2-A, the~~ The court may make the record of the name change confidential or not public.

See title page for effective date.

CHAPTER 560

H.P. 1488 - L.D. 2002

**An Act To Eliminate Inactive
Boards and Commissions**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §12004-G, sub-§15-A, as amended by PL 2017, c. 407, Pt. A, §8, is repealed.

Sec. 2. 5 MRSA §12004-H, sub-§10-A, as enacted by PL 2013, c. 403, §1, is repealed.

Sec. 3. 5 MRSA §12004-I, sub-§12-B, as enacted by PL 2015, c. 267, Pt. CCC, §1, is repealed.

Sec. 4. 5 MRSA §20078-A, as amended by PL 2017, c. 407, Pt. A, §46, is repealed.

Sec. 5. 7 MRSA §970, sub-§2, as enacted by PL 2013, c. 403, §2, is repealed.

Sec. 6. 7 MRSA §972-B, as enacted by PL 2013, c. 403, §4, is repealed.